

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS HOLBERT, DALONTE FOARD,
and GLENN WHITNEY,

Defendants.

8:20CR333

ORDER

This matter is before the court on the request of the government to declare this case as complex and to adjust the discovery and pretrial motions deadline during the arraignment on December 22, 2020. The defendants agreed to the request. The court finds from the representations by counsel for the parties that this case is so unusual and so complex due to the nature of the prosecution, the existence of novel questions of fact and law, and the amount of discovery, it would be unreasonable to expect adequate preparation for pretrial proceedings or for the trial within the time limits established by the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(B)(ii).

IT IS ORDERED:

1. The parties shall have **to on or before January 19, 2021** in which to complete discovery and shall have **to on or before February 16, 2021**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such request and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from today's date, through February 16, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 22nd day of December, 2020.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge